

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE DISTRICT COUNCIL NO.9)	
PAINTING INDUSTRY INSURANCE FUND and)	
TRUSTEES OF THE DISTRICT COUNCIL NO. 9)	
PAINTING INDUSTRY ANNUITY FUND and)	
DISTRICT COUNCIL NO. 9 INTERNATIONAL)	
UNION OF PAINTERS AND ALLIED TRADES,)	
A.F.L.-C.I.O.,)	Case No.: 21-cv-08971(PGG)
Petitioners,)	
)	
)	<u>AMENDED JUDGMENT</u>
)	
)	
-against-)	
)	
Choice of Colors, Inc.,)	
)	
)	
)	
Respondent.)	
)	

This action was commenced on November 2, 2021 by the filing of a summons and petition to confirm an arbitration award. (Dkt. No. 1) A copy of the Summons and Petition was served on Respondent Choice of Colors, Inc. on November 4, 2021 via the Secretary of State, and proof of service was filed with the Clerk of Court on November 8, 2021. (Dkt. No. 7) Respondent did not appear, answer, or otherwise move with respect to the Petition within the time allowed by law.

On December 14, 2021, Petitioners moved for summary judgment. (Dkt. No. 8) On September 22, 2022, this Court granted Petitioners' motion for summary judgment, and confirmed the arbitration award of \$11,500.00. The Court denied without prejudice Petitioners' request for an award of attorneys' fees because Petitioners' papers did not state the amount requested or provide any supporting documentation. (Dkt. No. 13)

On September 23, 2022, the Clerk of Court entered judgment. (Dkt. No. 14)

On September 28, 2022, Petitioners filed an affirmation in support of their application for attorneys' fees and costs, requesting \$3,780.00 in attorneys' fees and \$529.00 in costs. (Dkt. No. 15)

It is hereby ORDERED that Petitioners have judgment against Respondent in the liquidated amount of \$15,809.00, which includes the following: Decision of the Joint Trade Board amount due and owing in the sum of \$11,500.00, attorney's fees in the sum of \$3,780.00, and court costs and disbursements in the sum of \$529.00.

It is further ORDERED that the Amended Judgment rendered by the Court on this day in favor of the Petitioners be entered as a final judgment against the Respondent. The Clerk of Court is directed to enter such amended judgment forthwith.

Dated: New York, New York
June 1, 2023

SO ORDERED.

A handwritten signature in cursive script, reading "Paul G. Gardephe".

Paul G. Gardephe
United States District Judge